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DEP-2-RCF

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Applicant:

Arnold J. GOLDMAN, et al.

Serial No.: 09/633,824

Filed: August 7, 2000

For: Strategic Method for Process Control

Examiner: Wilbert L. Starks Jr.

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Group Art Unit: 2129

Attorney  
Docket: 01/21855

2251

**Mail Stop 16**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND UNDER 37 CFR 1.26**

Sir:

During the course of prosecuting the above-identified application, Applicant filed a Request for Continued Examination (RCE) on July 7, 2006.

Applicant, through error and mistake, erred in calculating the fees required when filing an RCE, and authorized excess filing fee payments based on the total number of claims then pending in the application, as well as the \$395.00 RCE fee, even though only 4 additional claims were introduced at the time of filing of the RCE's.

These authorized charges were then debited from Applicant's Deposit Account 501407. It is requested that these excess charges, made by mistake, be refunded to Applicants Deposit Account 501407.

The details of the errors are as follows:

Applicant authorized (see attachment) the RCE filing charge of \$ 395, as well as \$ 1,225 for 53 additional claims over 20, and \$ 500 for 5 additional independent claims over 3, even though only 4 new claims over those previously paid for were introduced

with the filing of the RCE. These charges were debited on July 10, 2006 from Applicants Deposit Account 501407, and are highlighted in the attached July 2006 Deposit Account Statement. The charges for the excess claims fees (Fee Codes 2201 and 2202) were not required and paid by mistake.

**A refund of \$ 1,725 is deemed to be in order.**

Applicant only became aware of the error in calculating RCE filing charges recently.

Applicant has not previously asked for a refund of these charges made in error.

Applicant has not been refunded the excess charges requested herein.

This request for refund is being made within two years of the charge against the Deposit Account.

This request for refund is clearly one that was paid by mistake, and in excess of that required and is contemplated by 37 CFR 1.26.

Favorable consideration of this Refund request is earnestly solicited.

Respectfully submitted,



Martin Moynihan,  
Registration No. 40,338

Date: October 30, 2007



Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	<b>Application Number</b>	<b>09/633,824</b>
	<b>Filing Date</b>	<b>August 7, 2000</b>
	<b>Examiner Name</b>	<b>Wilbert L. Starks, Jr.</b>
	<b>First Named Inventor</b>	<b>Arnold J. GOLDMAN</b>
	<b>Group Art Unit</b>	<b>2129</b>
	<b>Attorney Docket Number</b>	<b>01/21855</b>

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
  - a. ☐ Previously submitted
    - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - b. ☒ Enclosed
    - i. ☒ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
    - iv. ☒ **Other One (1) Month Extension fee**
    - v. ☐ Other
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for \_\_\_\_\_  
a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
  - b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

For:	Column 1 No. Filed	Column 2 No. Extra	SMALL ENTITY RATE FEE		OTHER THAN A SMALL ENTITY RATE FEE	
Request for Continued Examination (RCE)			1	\$ 395		\$ 790
Multiple Dependent Claims			0 x \$ 180	\$ 0	\$ 360	0 \$
Total Claims	73 - 20=	53	53 x \$ 25	\$ 1,325	\$ 50	0 \$
Independent Claims*	8 - 3=	5	5 x \$ 100	\$ 500	\$ 200	0 \$
			<b>TOTAL</b>	<b>\$2220.</b>	<b>TOTAL</b>	

☒ The Commissioner is hereby authorized to charge \$2220.- filing fees to Deposit Account No. 50-1407. In the event additional fees are required, please charge these additional fees to Deposit Account No. 50-1407. In the event of overpayment, please credit Deposit Account No. 50-1407.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

<b>Name (Print/Type)</b>	<b>Martin D. Moynihan</b>	<b>Registration No.</b>	<b>40,338</b>
<b>Signature</b>		<b>Date</b>	<b>July 7, 2006</b>



**United States  
Patent and  
Trademark Office**



### Deposit Account Statement

**Requested Statement Month:** July 2006  
**Deposit Account Number:** 501407  
**Name:** G E EHRLICH (1995) LTD.  
**Attention:** A J CASTORINA  
**Address:** 2001 JEFFERSON DAVIS HIGHWAY  
**City:** ARLINGTON  
**State:** VA  
**Zip:** 22202  
**Country:** UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
07/03	391	11476787	31693	2011	\$150.00	\$94,692.55
07/03	392	11476787	31693	2111	\$250.00	\$94,442.55
07/03	393	11476787	31693	2311	\$100.00	\$94,342.55
07/03	394	11476787	31693	2201	\$200.00	\$94,142.55
07/03	395	11476787	31693	2202	\$1,100.00	\$93,042.55
07/03	2	09761149	01/21745	2201	\$600.00	\$92,442.55
07/03	434	10583759	32102	2631	\$150.00	\$92,292.55
07/03	435	10583759	32102	2632	\$250.00	\$92,042.55
07/03	436	10583759	32102	2633	\$100.00	\$91,942.55
07/03	438	10583759	32102	2614	\$900.00	\$91,042.55
07/03	437	10583759	32102	2615	\$1,525.00	\$89,517.55
07/03	439	10583759	32102	8021	\$40.00	\$89,477.55
07/03	147	60794501	31142(31964)	8007	\$20.00	\$89,457.55
07/05	304	10240411	24938	1504	\$300.00	\$89,157.55
07/05	305	10240411	24938	2501	\$700.00	\$88,457.55
07/05	306	10239990	25131	1504	\$300.00	\$88,157.55
07/05	307	10239990	25131	2501	\$700.00	\$87,457.55
07/05	308	10862397	31087	1504	\$300.00	\$87,157.55
07/05	309	10862397	31087	2501	\$700.00	\$86,457.55
07/05	95	60776419	31582	8021	\$40.00	\$86,417.55
07/05	96	60794882	31581	8021	\$40.00	\$86,377.55
07/05	97	10584165	31250	8021	\$40.00	\$86,337.55
07/05	98	60808108	32074	8021	\$40.00	\$86,297.55
07/05	99	60815581	32265	8021	\$40.00	\$86,257.55
07/05	100	60814900	32234	8021	\$40.00	\$86,217.55
07/05	101	60814572	32230	8021	\$40.00	\$86,177.55
07/05	102	60815583	32079	8021	\$40.00	\$86,137.55
07/05	103	60812988	31541	8021	\$40.00	\$86,097.55
07/05	104	60816318	32268	8021	\$40.00	\$86,057.55
07/05	128	60898970	30299	8021	\$40.00	\$86,017.55
07/05	129	10584760	31397	8021	\$40.00	\$85,977.55
07/05	1	60817380	32264	2005	\$100.00	\$85,877.55

07/10 184	09633824	2104/3	2801	\$395.00	\$73,437.55
07/10 185	09633824	2104/3	2201	\$500.00	\$72,937.55
07/10 187	09633824	2104/3	2251	\$80.00	\$72,877.55
07/10 188	09633824	2104/3	2202	\$1,325.00	\$71,552.55
07/11 15	60819007	32357	2005	\$100.00	\$71,452.55
07/11 31	11283928	30702(32131)	8007	\$20.00	\$71,432.55
07/11 65	11363332	31650(32131)	8007	\$20.00	\$71,412.55
07/11 66	11283865	30629(32131)	8007	\$20.00	\$71,392.55
07/11 195	29262505	32285	8021	\$40.00	\$71,352.55
07/11 206	11478770	31400	8021	\$40.00	\$71,312.55
07/12 2	5906629		2552	\$1,150.00	\$70,162.55
07/12 10	10433821	26284	1504	\$300.00	\$69,862.55
07/12 11	10433821	26284	2501	\$700.00	\$69,162.55
07/12 89	60819404	32373	1005	\$200.00	\$68,962.55
07/12 92	60819402	31687	2005	\$100.00	\$68,862.55
07/12 165	10298196	25256	2252	\$225.00	\$68,637.55
07/12 166	11290450	31097	1254	\$1,590.00	\$67,047.55
07/12 167	11290450	31097	1051	\$130.00	\$66,917.55
07/12 196	10240239	25065	1806	\$180.00	\$66,737.55
07/12 38	11483650	31878	2011	\$150.00	\$66,587.55
07/12 39	11483650	31878	2111	\$250.00	\$66,337.55
07/12 41	11483650	31878	2202	\$275.00	\$66,062.55
07/12 40	11483650	31878	2311	\$100.00	\$65,962.55
07/12 103	11480480	31353	8021	\$40.00	\$65,922.55
07/12 494	10564760	31397	2617	\$65.00	\$65,857.55
07/13 58	11250472	29470(32254)	8007	\$20.00	\$65,837.55
07/13 69	60713760	30403(32004)	8007	\$20.00	\$65,817.55
07/13 70	60711668	30335(32372)	8007	\$20.00	\$65,797.55
07/13 1	10076620	01/21716	2202	\$150.00	\$65,647.55
07/13 181	10585374	32162	2631	\$150.00	\$65,497.55
07/13 185	10585374	32162	8021	\$40.00	\$65,457.55
07/13 182	10585374	32162	2632	\$250.00	\$65,207.55
07/13 184	10585374	32162	2615	\$200.00	\$65,007.55
07/13 183	10585374	32162	2633	\$100.00	\$64,907.55
07/13 222	11204175	29095(32255)	8007	\$20.00	\$64,887.55
07/13 271	10585376	32187	2631	\$150.00	\$64,737.55
07/13 272	10585376	32187	2632	\$250.00	\$64,487.55
07/13 273	10585376	32187	2633	\$100.00	\$64,387.55
07/13 275	10585376	32187	2614	\$100.00	\$64,287.55
07/13 276	10585376	32187	2681	\$125.00	\$64,162.55
07/13 274	10585376	32187	2615	\$525.00	\$63,637.55
07/13 179	09664760	01/22552	1806	\$180.00	\$63,457.55
07/13 180	10831288	27799	1806	\$180.00	\$63,277.55
07/13 27	60830111	31138	2005	\$100.00	\$63,177.55
07/13 208	11484719	32214	2011	\$150.00	\$63,027.55
07/13 210	11484719	32214	2311	\$100.00	\$62,927.55
07/13 212	11484719	32214	2201	\$1,200.00	\$61,727.55
07/13 213	11484719	32214	2081	\$250.00	\$61,477.55
07/13 211	11484719	32214	2202	\$675.00	\$60,802.55
07/13 209	11484719	32214	2111	\$250.00	\$60,552.55
07/14 3	10435634	26114	2253	\$510.00	\$60,042.55
07/14 4	10435634	26114	2401	\$250.00	\$59,792.55



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DW  
11-28-01

IN THE US PATENT AND TRADEMARK OFFICE

In re application: : Arnold J. Goldman *et al*

Docket No : 01/21855

Application Serial Number : 09/633,824

Filed : August 7, 2000

Title Strategic Method for Process Control

Commissioner of Patents and Trademarks  
Washington D.C. 20231

Sir:

Prior to Examination, please amend the above-identified application as follows:

In the claims:

Kindly add the following new claims:

62. A strategic method for process control at a predetermined process  
juncture, the method comprising the steps of:

A. defining an interconnection cell at said juncture having associated  
therewith:

- i. at least one set of input data, and
- ii. at least one set of output data;

11/29/2007 SDIRETA1 00000001 501407 09633824

01 FC:2202 72.00 DA  
02 FC:2201 42.00 DA



In re ~~Application~~ of:

\*\*\*\*\*

**Group Art Unit:**

**Attorney**  
**Docket: 01/21855 (Previous 2104/3)**

**Examiner:**

RECEIVED  
NOV 27 2001  
Technology Center 2100

**Sir:**

- |              | CLAIMS  | AMENDED |
|--------------|---------|---------|
| FOR:         | ON FILE | CLAIMS  |
| TOTAL CLAIMS | 63      | 71      |
| INDEP CLAIMS | 7       | 8       |

OR  
OR  
OR  
OR

OTHER THAN A SMALL ENTITY	
RATE	FEE
x 18=	\$
x 78=	\$
TOTAL	\$

- Respectfully submitted,**

Ed Stecker

**Date: November 15, 2001.**



# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/633,824
Filing Date	August 7, 2000
Examiner Name	Wilbert L. Starks, Jr.
First Named Inventor	Arnold J. GOLDMAN
Group Art Unit	2129
Attorney Docket Number	01/21855

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- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other One (1) Month Extension fee
- v. ☐ Other

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for  
a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

For:	Column 1 No. Filed	Column 2 No. Extra	SMALL ENTITY RATE FEE		OTHER THAN A SMALL ENTITY RATE FEE	
Request for Continued Examination (RCE)			1	\$ 395		\$ 790
Multiple Dependent Claims			0 x \$ 180	\$ 0	\$ 360	0 \$
Total Claims	73 - 20 =	53	53 x \$ 25	\$ 1,325	\$ 50	0 \$
Independent Claims*	8 - 3 =	5	5 x \$ 100	\$ 500	\$ 200	0 \$
<b>TOTAL</b>				<b>\$2220.</b>	<b>TOTAL</b>	

☒ The Commissioner is hereby authorized to charge \$2220.- filing fees to Deposit Account No. 50-1407. In the event additional fees are required, please charge these additional fees to Deposit Account No. 50-1407. In the event of overpayment, please credit Deposit Account No. 50-1407.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Martin D. Moynihan	Registration No. (Attorney/Agent)	40,338
Signature	<i>Martin D. Moynihan</i>	Date	July 7, 2006

Adjustment Date: 11/29/2007. SDIRETAT  
07/10/2006 SZENDIE1 00000111 501407 09633824  
02 FC:2201 500.00 CR  
03 FC:2202 1325.00 CR

07/18/2006 SZENDIE1 00000111 501407 09633824

01 FC:2A01 395.00 DA  
02 FC:2201 500.00 DA  
03 FC:2202 1325.00 DA

11/29/2007 SDIRETAT 00000002 501407 09633824

01 FC:2202 100.00 DA